| UNITED STATES DISTRICT COURT<br>SOUTHERN DISTRICT OF NEW YORK                    | X           |                            |
|--|-------------|----------------------------|
| JEFFREY COHEN, on behalf of himself individually, and on behalf of all similarly | :<br>:<br>: | N 00 G' 4050 (DV.G)        |
| situated employees,  | :           | No. 09 Civ. 4352 (PKC)     |
| Plaintiff,   | :           | ORAL ARGUMENT<br>REQUESTED |
| ,  | :           | <b>(</b> )                 |
| v.   | :           |                            |
| CERCON LEHRMAN CROUP INC   | •           |                            |
| GERSON LEHRMAN GROUP, INC.,  | :           |                            |
| Defendant.   | :           |                            |
|  | :           |                            |

## PLAINTIFF'S NOTICE OF MOTION TO DISMISS DEFENDANT'S COUNTERCLAIMS

PLEASE TAKE NOTICE that, upon the Declaration of Gregory N. Filosa, the exhibits annexed thereto, and the accompanying Memorandum of Law, and pursuant to Fed. R. Civ. P. 12(b)(6), Plaintiff Jeffrey Cohen will move the Court, at a date and time to be assigned by the Court, for an order dismissing the counterclaims contained in the Amended Answer, Defenses and Counterclaims of Defendant Gerson Lehrman Group, Inc.

Dated: New York, New York October 16, 2009

Respectfully submitted,

THOMPSON WIGDOR & GILLY LLP

By:

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COUNSEL FOR PLAINTIFF AND THE CLASS